

REMARKS

Claims 1-8 are pending in the above-referenced application and are submitted for the Examiner's reconsideration.

Claims 1, 2, 6, and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,811,671 to Seekircher et al. ("Seekircher"). Claim 3 stands rejected under 35 U.S.C. § 103(a) in view of Seekircher in view of United States Patent No. 6,293,251 to Hemmerlein ("Hemmerlein"). Claim 4 stands rejected under 35 U.S.C. § 103(a) in view of Seekircher in view of United States Patent No. 5,633,458 to Pauli et al. ("Pauli"). Claim 6 stands rejected under 35 U.S.C. § 103(a) in view of Seekircher in view of United States Patent No. 6,754,604 to Weialand ("Weiland"). Claim 7 stands rejected under 35 U.S.C. § 103(a) in view of Seekircher in view of United States Patent No. 6,085,142 to DiLeo et al. ("DiLeo"). Applicants have amended claims 1 and 8 to emphasize that the present invention relies on only a single control unit to perform the recited steps and functions. In Seekircher, an engine control unit, which constitutes part of the internal combustion engine, and a testing control unit 9 are provided. In column 4, lines 13 to 17, it is described that the engine control unit controls the internal combustion engine. In column 4, lines 52 to 53, it is described that the testing control unit 9 triggers the users during testing and implements the analysis. These text passages clearly show that two control units are provided, as opposed to only a single one as recited in the claims.

According to the present invention, only one engine control unit is provided, which triggers the injectors during normal driving operation and during testing, and analyzes the reaction of the injectors. The engine controller applies current and voltage to the injectors and analyzes the resulting voltage and/or current. This analysis is implemented by the output stage diagnostic unit 138, which usually is provided to monitor the functioning method of the output stage or the injectors in driving operation. The method is initiated only by one diagnostic tester, and the final result is read out by the diagnostic tester. The testing and the triggering of the injectors required for this purpose is carried out by the engine control device, which also trigger the injectors during operation.

This means that the engine control device applies currents and/or voltage to the injectors, analyzes the resulting voltages and/or currents. No additional control device is required. Accordingly, since none of the other references relied on in the Office Action overcomes this deficiency in Seekircher, withdrawal of the rejections is respectfully requested.

It is therefore respectfully requested that the objections and rejections be withdrawn,
and that the present application issue as early as possible.

Respectfully submitted,

KENYON & KENYON LLP

Dated: 4/10/06

By B. A. Messina (Reg. No. 40,172)

Gerard A. Messina
(Reg. No. 35,952)

One Broadway
New York, New York 10004
(212) 425-7200